



**Air Quality
TIER I OPERATING PERMIT**

**State of Idaho
Department of Environmental Quality**

PERMIT No.: T1-060050

FACILITY ID No.: 001-00195

AQCR: 64

CLASS: SM

SIC: 4953

ZONE: 11

UTM COORDINATE (km): 558.4, 4838.6

1. PERMITTEE

Ada County Solid Waste Management Department – Ada County Landfill

2. PROJECT

Initial Tier I Operating Permit

3. MAILING ADDRESS

200 West Front Street

CITY

Boise

STATE

ID

ZIP

83702

4. FACILITY CONTACT

Dave Neal

TITLE

Director, Ada County Solid Waste
Management Department

TELEPHONE

(208) 577-4725

5. RESPONSIBLE OFFICIAL

Dave Neal

TITLE

Director, Ada County Solid Waste
Management Department

TELEPHONE

(208) 577-4725

6. EXACT PLANT LOCATION

100300 Seamans Gulch Road, Boise, Idaho

COUNTY

Ada

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Sanitary Landfill, Wood Materials Recycling, and Hazardous Materials Facility

8. PERMIT AUTHORITY

This Tier I operating permit is issued pursuant to Idaho Code §39-115 and the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by DEQ on the cover page.

SHAWNEE CHEN, PERMIT WRITER

DEPARTMENT OF ENVIRONMENTAL QUALITY

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER

DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:

DRAFT FOR

DATE MODIFIED/AMENDED:

PUBLIC COMMENT

DATE EXPIRES:

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Acronyms, Units, and Chemical Nomenclature

ACLF	Ada County Landfill
AFS	AIRS Facility Subsystem
AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
CAA	Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
gr/ dscf	grain (1 lb = 7,000 grains)/ dry standard cubic feet
HAPs	hazardous air pollutants
hp	horsepower
HDPE	high density polyethylene
HHLF	Hidden Hollow Landfill cell
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
lb/hr	pound per hour
LFG	landfill gas
MACT	Maximum Achievable Control Technology
MMBtu/hr	million British thermal units per hour
MSW	municipal solid waste
NESHAP	Nation Emission Standards for Hazardous Air Pollutants
NMOC	nonmethane organic compounds
NO _x	nitrogen oxides
NRC	North Ravine Cell
NSPS	New Source Performance Standards
O&M	operation and maintenance
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTC	permit to construct
PTE	potential to emit
PVC	polyvinyl chloride
scfm	standard cubic feet per minute
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SM	synthetic minor
SO ₂	sulfur dioxide
SSM	Startup, Shutdowns, and Malfunctions
TAP	toxic air pollutant
Tier I	Tier I operating permit

T/yr	tons per year
UTM	Universal Transverse Mercator
VOC	volatile organic compound

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1. TIER I OPERATING PERMIT SCOPE

Purpose

- 1.1 The Ada County Solid Waste Management Department is required to obtain a Title V Operating Permit for the Ada County Landfill (ACLF) in accordance with permitting requirements in IDAPA 58.01.01.859 - *Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction or Modification on or after May 30, 1991*, and 40 CFR 60 Subpart WWW - *Standards of Performance for Municipal Solid Waste Landfills*. This Tier I operating permit satisfies the requirements in the cited provisions above.
- 1.2 This Tier I incorporates the following permit:
- PTC No. P-050056 issued May 18, 2006, which replaced PTC No. P-040004 issued June 15, 2004.

Regulated Sources

- 1.3 Table 1.1 lists all sources of emissions regulated in this Tier I operating permit.

Table 1.1 REGULATED EMISSIONS SOURCES

Permit Sections	Source Description	Emissions Control(s)
2	Fugitive dust emissions created from a number of sources: paved and unpaved roads, landfill equipment/landfill operations that include dozing and grading activities for compressing municipal solid waste and applying daily cover, wood chipper and power screen operations, and storage piles.	Reasonable control
3	Hidden Hollow Landfill (HHLF) cell and North Ravine Cell (NRC)	John Zink enclosed ZTOF flare system. It consists of two enclosed smokeless flare units. Each flare unit has a minimum capacity of 200 scfm and a maximum capacity of 2,000 scfm of landfill gas (LFG) with maximum heat release of 65.5 MMBtu/hr
3	HHLF cell and NRC	Additional flares when landfill gas volume triggers installation requirement
4	Wood chipper powered by 650 horsepower Caterpillar diesel-fired generator, and power screen powered by 106 horsepower Deutz diesel-fired generator	None

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2. FACILITY-WIDE CONDITIONS

The following table contains a summary of requirements that apply generally to emissions units at the facility.

Table 2.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit/Standard Summary	Applicable Regulatory Requirement	Monitoring and Recordkeeping Requirements
2.1	Fugitive dust	Reasonable control	IDAPA 58.01.01.650-651	2.2, 2.3, 2.4, 2.11
2.5	Odors	Reasonable control	IDAPA 58.01.01.775-776	2.6, 2.11
2.7	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625	2.8, 2.11
2.9	Excess emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	2.9, 2.11
2.14	Fuel oil sulfur content limit	ASTM Grade 1 fuel oil – 0.3% by weight; ASTM Grade 2 fuel oil – 0.5% by weight	IDAPA 58.01.01.728	2.14, 2.11
2.15	Open burning	Compliance with IDAPA 58.01.01.600-617	IDAPA 58.01.01.600-617	2.11
2.16	Renovation or demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	2.11, 2.16
2.17	Chemical accident prevention	Compliance with 40 CFR 68	40 CFR 68	2.11, 2.17
2.18	Recycling And Emissions Reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	2.11, 2.18

Fugitive Dust

- 2.1 All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.

[IDAPA 58.01.01.650-651, 5/1/94]

- 2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (e.g., water, chemical dust suppressants) to reasonably control fugitive dust emissions.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

- 2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

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- 2.4 The permittee shall conduct a monthly facility-wide inspection of potential sources of fugitive dust emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive dust emissions are effective. If fugitive dust emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive dust emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive dust emissions, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

Odors

- 2.5 The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.

[IDAPA 58.01.01.775-776, 5/1/94]

- 2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]

Visible Emissions

- 2.7 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

[IDAPA 58.01.01.625, 4/5/00]

- 2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

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Excess Emissions

Excess Emissions - General

- 2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between Permit Condition 2.9 and the regulations of IDAPA 58.01.01.130-136.
- 2.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

Excess Emissions – Startup, Shutdown, Scheduled Maintenance

- 2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

[IDAPA 58.01.01.133, 4/5/00]

- A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory or a Wood Stove Curtailment Advisory has been declared by DEQ.

[IDAPA 58.01.01.133.01.a, 3/20/97]

Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.

[IDAPA 58.01.01.133.01.b, 4/5/00]

- The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133.01.c, 3/20/97]

Excess Emissions – Upset, Breakdown, or Safety Measures

- 2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/5/00]

- 2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

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[IDAPA 58.01.01.134.02, 4/5/00]

- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

[IDAPA 58.01.01.134.02.a, 4/5/00]

- The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

[IDAPA 58.01.01.134.02.b, 4/5/00]

- The owner or operator shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

[IDAPA 58.01.01.134.02.c, 3/20/97]

- 2.9.3.2 During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03 4/5/00]

Excess Emissions – Reporting and Recordkeeping

- 2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135.01 and 02, 3/20/97]

- 2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five-calendar-year period. The excess emissions records shall be made available to DEQ upon request and shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]

- An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and

[IDAPA 58.01.01.136.03.a, 4/5/00]

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- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.b, 3/20/97]

Performance Testing

2.10 Reserved.

Monitoring and Recordkeeping

- 2.11 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94]

Reports and Certifications

- 2.12 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance
Department of Environmental Quality
Boise Regional Office
1445 North Orchard
Boise, Idaho 83709-2239
Phone: (208) 373-0550 Fax: (208) 373-0287

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10
Air Operating Permits, OAQ-107
1200 Sixth Ave.
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 5/1/94]

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Fuel-Burning Equipment

2.13 Reserved.

Sulfur Content

2.14 The permittee shall not sell, distribute, use, or make available for use any distillate fuel oil containing more than the following percentages of sulfur:

- ASTM Grade 1 fuel oil - 0.3% by weight.
- ASTM Grade 2 fuel oil - 0.5% by weight.

[IDAPA 58.01.01.728, 5/1/94]

2.14.1 The permittee shall maintain documentation of supplier verification of distillate fuel oil sulfur content on an as-received basis.

[IDAPA 58.01.01.322.06, 5/1/94]

Open Burning

2.15 The permittee shall comply with the Rules for Control of Open Burning, IDAPA 58.01.01.600-616.

[IDAPA 58.01.01.600-617, 3/21/03]

Renovation/Demolition

2.16 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

[40 CFR 61, Subpart M]

Regulated Substances for Accidental Release Prevention

2.17 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
- The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10 (a)]

Recycling and Emissions Reductions

2.18 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.

[40 CFR 82, Subpart F]

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3. HIDDEN HOLLOW LANDFILL (HHLF) CELL AND NORTH RAVINE CELL (NRC)

Summary Description

3.1 Process Description

Ada County Landfill (ACLF) operation consists of the existing active HHLF cell and NRC that is planned to accept municipal solid waste (MSW) in 2007. The HHLF cell encompasses an area of approximately 110 acres with design capacity of 16 million cubic yards and is anticipated to be closed in 2020. The NRC was designed to have a final capacity of 70 million cubic yards and an active life of 90 years based on the anticipated growth patterns. The NRC encompasses an area of approximately 260 acres.

Ada County Landfill operation generates odorous landfill gas (LFG). LFG is a byproduct produced from decomposition of organic material in the MSW landfill. LFG is typically a mixture of approximately 50% methane and 50% carbon dioxide, and a minor amount of nonmethane organic compounds (NMOC). Within the NMOC are some hazardous air pollutants (HAPs) and toxic air pollutants (TAPs). A trace amount of hydrogen sulfide gas is also found in the LFG. Landfills may continue to generate LFG for 10 to 20 years, or longer, after waste disposal has ceased.

3.2 Emissions Control Description

The LFG collection system and control system are required to control the LFG from ACLF in accordance with 40 CFR 60, Subpart WWW. The timeframe to install and operate the LFG collection system and control system to control the LFG produced at ACLF is specified in 40 CFR 60, Subpart WWW, which is included in this permit.

The existing ACLF gas collection system and control system (two identical enclosed flares system) began operating in May 2004 as a voluntary control measure. The existing LFG collection system provides gas collection for the phase I closure of the HHLF cell that is 46 acres of the 110-acre HHLF cell surface. The existing control system is designed to accommodate potential HHLF cell LFG flows with the total design capacity of 4,000 scfm. Based on LANDGEM modeling data using the anticipated growth patterns, the existing control system has the capacity to control LFG flows of HHLF and NRC cells until 2038 per the currently available data.

Additional flare(s) will need to be installed onsite before the design capacity of the existing control system is exceeded. The future gas flare site is included in Figure 1 of the application. G2 Energy (Facility ID 001-00214) has been permitted to produce electrical energy using LFG from ACLF. G2 Energy is a private company. It is independent from ACLF operations.

The Existing Control System – two identical enclosed LFG Flares

The existing LFG control system consists of the following components:

- Condensate system (condensate traps, pump, and controls)
- Two variable speed exhausters (blowers)
- Two enclosed, smokeless flare units

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- Two propane tank ignition systems

The extracted LFG is drawn to the flare system by two exhausters (vacuum blowers). Condensate is captured ahead of the exhausters and stored in small storage vessels (knockout drums). The condensate is automatically separated and pumped into the flare stacks at a controlled rate. The condensate is expected to consist primarily of water vapor generated at a rate of approximately 0.004 gallon per cubic foot of LFG. The exhausters blow the LFG into the flares. Two enclosed flares, each capable of handling between 200 scfm and 2,000 scfm of LFG, will be operated in parallel. Propane-fired pilots will provide for continuous auto-ignition of the LFG. Sensors (thermocouples) in the flare stacks will continuously monitor flare operations. In the event the flame goes out, the integrated control system will shut down the flares. The flares are enclosed. The flare flame can not be seen. However, system operators are able to monitor the presence of the flame through sight glasses of the enclosure.

The physical and operation specifications for each flare, based on an initial manufacturer's submittal, are listed as follows:

Manufacturer/Model:	John Zink enclosed ZTOF flare system
Height:	40 feet
Diameter:	13.0 feet
Exhaust flowrates:	200 to 2,000 scfm
Operating temperature:	1,400 to 1,800 °F
Heat Release:	Maximum 65.52 MMBtu/hr

The NMOC and methane are combusted by the enclosed flares at temperature between 1,400 – 1,800°F. According to the manufacturer, the flares at this temperature will achieve a NMOC destruction efficiency of 98%, with a residence time of 0.7 seconds.

Table 3.1 describes the devices used to control emissions from the HHLF cell and NRC.

Table 3.1 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES

Emissions Unit(s) / Process(es)	Emissions Control Device
HHLF cell and NRC	Flare system

Permit Limits / Standard Summary

3.3 Visible Emissions Limit

The permittee shall comply with facility-wide Permit Condition 2.7.

3.4 Particulate Matter Emissions Limits for Incinerators

Particulate matter emissions from each of the flares shall not exceed 0.2 pounds per 100 pounds of landfill gas combusted, in accordance with IDAPA 58.01.01.786.

[PTC No. P-050056 (5/18/06)]

3.5 Odors from the Flares

The permittee shall comply with facility-wide Permit Condition 2.5.

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3.6 Excess Emissions

The permittee shall comply with facility-wide Permit Condition 2.9.

3.7 Open Burning

The permittee shall comply with facility-wide Permit Condition 2.15.

3.8 Air Pollution Emergency Rule

The permittee shall comply with IDAPA 58.01.01.550-562, *Air Pollution Emergency Rule*.

[PTC No. P-050056 (5/18/06)]

Operating Requirements

3.9 Operations and Maintenance (O&M) Manual

Within 60 days after startup of landfill gas flares, the permittee shall have developed an O&M manual for the landfill gas flares, which describes the procedures that will be followed to comply with the manufacturer specifications for the flares. This manual shall remain on site at all times and shall be made available to DEQ representatives upon request. Within 30 days of O&M manual development the permittee shall submit a copy of the manual to DEQ at the address specified in Permit Condition 2.12.

[PTC No. P-050056 (5/18/06)]

3.10 LFG Control System

3.10.1 The permittee shall route LFG to the second enclosed flare when, or before the first enclosed flare reaches its design capacity of 2,000 scfm of LFG, based on a 24-hour average.

[PTC No. P-050056 (5/18/06)]

3.10.2 The permittee shall install additional flare(s) before the total flow rate of LFG from the HHLF cell and NRC reaches the design capacity of the existing control system.

[PTC No. P-050056 (5/18/06)]

Monitoring and Recordkeeping Requirements

3.11 Opacity Monitoring

The permittee shall comply with facility-wide Permit Condition 2.8.

3.12 Odors Complaints

The permittee shall comply with facility-wide Permit Condition 2.6.

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Performance Tests of LFG Control System

3.13 Performance Test of LFG Control System

- 3.13.1 The permittee shall conduct a performance test in accordance with IDAPA 58.01.01.157 and 40 CFR 60 Subpart WWW.
- Prior to conducting any performance test, the permittee is strongly encouraged to submit to DEQ in writing, at least 30 days in advance, the following for approval:
 - i. The type of method to be used;
 - ii. Any extenuating or unusual circumstances regarding the proposed test; and
 - iii. The proposed schedule for conducting and reporting the test.
 - The permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test, or shorter time period as provided in a permit, order, consent decree or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source.
- 3.13.2 The permittee shall record the operating ranges of the control system parameters specified in 40 CFR 60.756 when conducting any performance testing.
- 3.13.3 If the performance test is conducted to satisfy a performance test requirement imposed by state or federal regulation, rule, permit, order, or consent decree, a written report shall be submitted to DEQ within 30 days of the completion of the test. The written report shall:
- Meet the format and content requirements specified by the DEQ in any applicable rule, regulation, guidance, permit, order, or consent decree. Any deviations from the format and contents specified require prior written approval from the DEQ. Failure to obtain such approval may result in the rejection of the test results.
 - Include all data required to be noted or recorded in any referenced test method, and
 - The permittee shall submit an initial performance test report for each control device in accordance with 40 CFR 60.757.
- 3.13.4 When to conduct the initial performance test for each control system.
- The permittee shall conduct an initial performance test on the flare(s) already started up not later than 180 days after the issuance of this permit or at such other times as may be required by DEQ.
 - For the flare which was described as a back up flare in PTC issued June 15, 2004, if it hasn't started up, the permittee shall conduct an initial performance test not later than 180 days after initial startup of the flare covered by this permit or at such other times as may be required by DEQ.
 - For the additional control system required under Permit Condition 3.10.2, the permittee shall conduct an initial performance test not later than 180 days after initial startup of the additional control system or at such other times as may be required by DEQ.
- 3.13.5 The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following address:

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Location:	Boise, Idaho	

Air Quality Permit Compliance
Department of Environmental Quality
Boise Regional Office
1445 North Orchard
Boise, Idaho 83709-2239
Phone: (208) 373-0550 Fax: (208) 373-0287

[PTC No. P-050056 (5/18/06)]

Reporting Requirements

- 3.14** The permittee shall submit an annual NMOC report until nonmethane emissions are less than 50 megagrams per year in accordance with IDAPA 58.01.01.859.05.a.ii. The report shall be submitted to DEQ by September 30 each year.

[PTC No. P-050056 (5/18/06)]

Permitting Requirements

- 3.15** In accordance with IDAPA 58.01.01.859.04.b, the permittee shall submit a complete Tier I operating permit application within one year of commencing construction of the NRC.

[PTC No. P-050056 (5/18/06)]

- 3.16** The permittee shall submit a complete PTC modification application for the additional control system within six months after the first time that the LFG from ACLF reaches 90% of the total design capacity of the exiting control system (i.e., total design capacity is 4,000 scfm of LFG), based on a 24-hour average, or whenever the design for the additional control system is complete. The application shall address how the LFG from ACLF will be controlled if/when the LFG reaches the design capacity of the existing control system (i.e., 4,000 scfm of LFG).

[PTC No. P-050056 (5/18/06)]

40 CFR 60 Subpart WWW Requirements

3.17 General Requirement

The permittee shall be in compliance with 40 CFR 60, Subpart WWW in accordance with IDAPA 58.01.01.859.03. The following permit conditions apply to ACLF based on the information in the application. Should, in the future, changes made to ACLF trigger other requirements in 40 CFR 60, Subpart WWW, requirements in 40 CFR 60, Subpart WWW shall govern.

The permittee shall be in compliance with the General Provisions of 40 CFR 60 when they are applicable.

[PTC No. P-050056 (5/18/06)]

3.18 Standards for Air Emissions from Municipal Solid Waste Landfills (40 CFR 60.752)

- 3.18.1** The owner or operator of ACLF is subject to part 70 or Title V permitting requirements.

[40 CFR 60.752(b)]

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3.18.2 The owner or operator of ACLF shall comply with 40 CFR 60.752(b)(2).

The owner or operator shall:

[40 CFR 60.752(b)(2)]

Submit a collection and control system design plan prepared by a professional engineer to DEQ within one year of when the calculated NMOC emission rate is equal to or greater than 50 megagrams per year.

[40 CFR 60.752(b)(2)(i)]

The collection and control system as described in the plan shall meet the design requirements of 40 CFR 60.752(b)(2)(ii).

[40 CFR 60.752(b)(2)(i)(A)]

The collection and control system design plan shall conform with specifications for active collection systems in 40 CFR 60.759.

[40 CFR 60.752(b)(2)(i)(C)]

Install a collection and control system that captures the gas generated within the landfill as required by 40 CFR 60.752 (b)(2)(ii)(A) and 40 CFR 60.752 (b)(2)(iii) within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, or by April 28, 2007.

[40 CFR 60.752(b)(2)(ii)]

An active collection system shall:

[40 CFR 60.752(b)(2)(ii)(A)]

Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;

[40 CFR 60.752(b)(2)(ii)(A)(1)]

Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of:

[40 CFR 60.752(b)(2)(ii)(A)(2)]

5 years or more if active; or

[40 CFR 60.752(b)(2)(ii)(A)(2)(i)]

Two years or more if closed or at final grade.

[40 CFR 60.752(b)(2)(ii)(A)(2)(ii)]

Collect gas at a sufficient extraction rate;

[40 CFR 60.752(b)(2)(ii)(A)(3)]

Be designed to minimize off-site migration of subsurface gas.

[40 CFR 60.752(b)(2)(ii)(A)(4)]

Route all the collected gas to a control system that complies with the requirements of 40 CFR 60.752(b)(2)(iii)(B).

[40 CFR 60.752(b)(2)(iii)]

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A control system designed and operated to reduce NMOC by 98 weight-percent, or, when an enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 ppm by volume, dry basis as hexane at 3% oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in 40 CFR 60.754(d).

[40 CFR 60.752(b)(2)(iii)(B)]

The control device shall be operated within the parameter ranges established during the initial or most recent performance test as required in Permit Condition 3.13. The operating parameters to be monitored are specified in 40 CFR 60.756;

[40 CFR 60.752(b)(2)(iii)(B)(2)]

Operate the collection and control device installed to comply with this subpart in accordance with the provisions of 40 CFR 60.753, 60.755 and 60.756.

[40 CFR 60.752(b)(2)(iv)]

The collection and control system may be capped or removed provided that all the conditions of 40 CFR 60.752(b)(2)(v) (A), (B), and (C) are met:

[40 CFR 60.752(b)(2)(v)]

The landfill shall be a closed landfill as defined in 40 CFR 60.751. A closure report shall be submitted to DEQ as provided in 40 CFR 60.757(d);

[40 CFR 60.752(b)(2)(v)(A)]

The collection and control system shall have been in operation a minimum of 15 years; and

[40 CFR 60.752(b)(2)(v)(B)]

Following the procedures specified in 40 CFR 60.754(b), the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

[40 CFR 60.752(b)(2)(v)(C)]

- 3.18.3 When a MSW landfill subject to this subpart is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under 40 CFR 70 for the landfill if the landfill is not otherwise subject to the requirements of 40 CFR 70 and if the owner or operator meets the conditions for control system removal specified in 40 CFR 60.752 (b)(2)(v).

[40 CFR 60.752(d)]

3.19 Operational Standards for Collection and Control Systems (40 CFR 60.753)

Each owner or operator of an MSW landfill with a gas collection and control system used to comply with the provisions of 40 CFR 60.752(b)(2)(ii) shall:

- 3.19.1 Operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:

[40 CFR 60.753(a)]

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5 years or more if active; or

[40 CFR 60.753(a)(1)]

Two years or more if closed or at final grade.

[40 CFR 60.753(a)(2)]

- 3.19.2 Operate the collection system with negative pressure at each wellhead except under the following conditions:

[40 CFR 60.753(b)]

A fire or increased well temperature: The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR 60.757(f)(1);

[40 CFR 60.753(b)(1)]

Use of a geomembrane or synthetic cover: The owner or operator shall develop acceptable pressure limits in the design plan;

[40 CFR 60.753(b)(2)]

A decommissioned well: A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by DEQ.

[40 CFR 60.753(b)(3)]

- 3.19.3 Operate each interior wellhead in the collection system with a landfill gas temperature less than 55°C and with either a nitrogen level less than 20% or an oxygen level less than 5%. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

[40 CFR 60.753(c)]

The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by 40 CFR 60.752(b)(2)(i).

[40 CFR 60.753(c)(1)]

Unless an alternative test method is established as allowed by 40 CFR 60.752(b)(2)(i), the oxygen shall be determined by an oxygen meter using Method 3A or 3C except that:

[40 CFR 60.753(c)(2)]

The span shall be set so that the regulatory limit is between 20% and 50% of the span;

[40 CFR 60.753(c)(2)(i)]

A data recorder is not required;

[40 CFR 60.753(c)(2)(ii)]

Only two calibration gases are required, a zero and span, and ambient air may be used as the span;

[40 CFR 60.753(c)(2)(iii)]

A calibration error check is not required;

[40 CFR 60.753(c)(2)(iv)]

The allowable sample bias, zero drift, and calibration drift are $\pm 10\%$.

[40 CFR 60.753(c)(2)(v)]

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- 3.19.4 Operate the collection system so that the methane concentration is less than 500 ppm above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.
[40 CFR 60.753(d)]
- 3.19.5 Operate the system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour; and
[40 CFR 60.753(e)]
- 3.19.6 Operate the control or treatment system at all times when the collected gas is routed to the system.
[40 CFR 60.753(f)]
- 3.19.7 If monitoring demonstrates that the operational requirements in 40 CFR 60.753(b), (c), or (d) are not met, corrective action shall be taken as specified in 40 CFR 60.755(a)(3) through (5) or 40 CFR 60.755(c). If corrective actions are taken as specified in 40 CFR 60.755, the monitored exceedance is not a violation of the operational requirements in this section.
[40 CFR 60.753(g)]

3.20 Testing Methods and Procedures (40 CFR 60.754)

- 3.20.1 The landfill owner or operator shall calculate the NMOC emission rate using either the equation provided in 40 CFR 60.754(a)(1)(i) or the equation provided in 40 CFR 60.754 (a)(1)(ii). Both equations may be used if the actual year-to-year solid waste acceptance rate is known, as specified in 40 CFR 60.754 (a)(1)(i), for part of the life of the landfill and the actual year-to-year solid waste acceptance rate is unknown, as specified in 40 CFR 60.754 (a)(1)(ii), for part of the life of the landfill. The values to be used in both equations are 0.05 per year for k, 170 cubic meters per megagram for L_o, and 4,000 ppm by volume as hexane for the C_{NMOC}. For landfills located in geographical areas with a thirty year annual average precipitation of less than 25 inches, as measured at the nearest representative official meteorologic site, the k value to be used is 0.02 per year. ACLF is located in geographical areas with a 30 year annual average precipitation of less than 25 inches.
[40 CFR 60.754(a)(1)]

The following equation shall be used if the actual year-to-year solid waste acceptance rate is known.

$$M_{NMOC} = \sum_{i=1}^n 2 k L_o M_i \left(e^{-k t_i} \right) \left(C_{NMOC} \right) \left(3.6 \times 10^{-9} \right)$$

Where,

M_{NMOC}=Total NMOC emission rate from the landfill, megagrams per year

k=methane generation rate constant, year⁻¹

L_o=methane generation potential, cubic meters per megagram solid waste

M_i=mass of solid waste in the ith section, megagrams

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t_i =age of the i^{th} section, years

C_{NMOC} =concentration of NMOC, parts per million by volume as hexane

3.6×10^{-9} =conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for M_i if documentation of the nature and amount of such wastes is maintained.

[40 CFR 60.754(a)(1)(i)]

The following equation shall be used if the actual year-to-year solid waste acceptance rate is unknown.

$$M_{NMOC} = 2L_o R (e^{-kc} - e^{-kt}) C_{NMOC} (3.6 \times 10^{-9})$$

Where:

M_{NMOC} =mass emission rate of NMOC, megagrams per year

L_o =methane generation potential, cubic meters per megagram solid waste

R =average annual acceptance rate, megagrams per year

k =methane generation rate constant, year⁻¹

t = age of landfill, years

C_{NMOC} =concentration of NMOC, parts per million by volume as hexane

c =time since closure, years; for active landfill $c=0$ and $e^{-kc}=1$

3.6×10^{-9} =conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value of R , if documentation of the nature and amount of such wastes is maintained.

[40 CFR 60.754(a)(1)(ii)]

- 3.20.2 After the installation of a collection and control system in compliance with 40 CFR 60.755, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in 40 CFR 60.752(b)(2)(v), using the following equation:

$$M_{NMOC} = 1.89 \times 10^{-3} Q_{LFG} C_{NMOC}$$

Where,

M_{NMOC} = mass emission rate of NMOC, megagrams per year

Q_{LFG} = flow rate of landfill gas, cubic meters per minute

C_{NMOC} = NMOC concentration, parts per million by volume as hexane

[40 CFR 60.754(b)]

The flow rate of landfill gas, Q_{LFG} , shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of Section 4 of Method 2E of Appendix A of 40 CFR 60.

[40 CFR 60.754(b)(1)]

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The average NMOC concentration, C_{NMOC} , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of Appendix A of 40 CFR 60. If using Method 18 of appendix A of 40 CFR 60, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The landfill owner or operator shall divide the NMOC concentration from Method 25C of appendix A of 40 CFR 60 by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

[40 CFR 60.754(b)(2)]

The owner or operator may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by DEQ.

[40 CFR 60.754(b)(3)]

- 3.20.3 For the performance test required in 40 CFR 60.752(b)(2)(iii)(B), Method 25, 25C, or Method 18 of Appendix A of 40 CFR 60 must be used to determine compliance with the 98 weight-percent efficiency or the 20 ppmv outlet concentration level, unless another method to demonstrate compliance has been approved by DEQ as provided by 40 CFR 60.752(b)(2)(i)(B). Method 3 or 3A shall be used to determine oxygen for correcting the NMOC concentration as hexane to three percent. In cases where the outlet concentration is less than 50 ppm NMOC as carbon (8 ppm NMOC as hexane), Method 25A should be used in place of Method 25. If using Method 18 of Appendix A of 40 CFR 60, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The following equation shall be used to calculate efficiency:

$$\text{Control Efficiency} = (NMOC_{in} - NMOC_{out}) / (NMOC_{in})$$

Where,

$NMOC_{in}$ = mass of NMOC entering control device

$NMOC_{out}$ = mass of NMOC exiting control device

[40 CFR 60.754(d)]

3.21 Compliance Provisions (40 CFR 60.755)

- 3.21.1 The following specified methods in 40 CFR 60.755(a)(1) through 40 CFR 60.755(a)(6) shall be used to determine whether the gas collection system is in compliance with 40 CFR 60.752(b)(2)(ii).

[40 CFR 60.755(a)]

For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with 40 CFR 60.752(b)(2)(ii)(A)(I), one of the following equations shall be used. The k and L_0 kinetic factors should be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42) or other site specific values demonstrated to be appropriate and approved by DEQ. A value of no more than 15 years shall be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

[40 CFR 60.755(a)(1)]

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For sites with unknown year-to-year solid waste acceptance rate:

$$Q_m = 2L_o R (e^{-kc} - e^{-kt})$$

Where,

Q_m = maximum expected gas generation flow rate, cubic meters per year

L_o = methane generation potential, cubic meters per megagram solid waste

R = average annual acceptance rate, megagrams per year

k = methane generation rate constant, year⁻¹

t = age of the landfill at equipment installation plus the time the owner or operator intends to use the gas mover equipment or active life of the landfill, whichever is less. If the equipment is installed after closure, t is the age of the landfill at installation, years

c = time since closure, years (for an active landfill $c = 0$ and $e^{-kc} = 1$)

[40 CFR 60.755(a)(1)(i)]

For sites with known year-to-year solid waste acceptance rate:

$$Q_M = \sum_{i=1}^n 2 k L_o M_i (e^{-kt_i})$$

Where,

Q_M = maximum expected gas generation flow rate, cubic meters per year

k = methane generation rate constant, year⁻¹

L_o = methane generation potential, cubic meters per megagram solid waste

M_i = mass of solid waste in the i^{th} section, megagrams

t_i = age of the i^{th} section, years

[40 CFR 60.755(a)(1)(ii)]

If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, the equations in 40 CFR 60.755(a)(1)(i) and (ii). If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using the equations in 40 CFR 60.755(a)(1)(i) or (ii) or other methods shall be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment.

[40 CFR 60.755(a)(1)(iii)]

For the purposes of determining sufficient density of gas collectors for compliance with 40 CFR 60.752(b)(2)(ii)(A)(2), the owner or operator shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to DEQ, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

[40 CFR 60.755(a)(2)]

For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with 40 CFR 60.752(b)(2)(ii)(A)(3), the owner or operator shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists, action shall be initiated to correct the exceedance within five calendar days, except for the three

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conditions allowed under 40 CFR 60.753(b). If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to DEQ for approval.

[40 CFR 60.755(a)(3)]

Owners or operators are not required to expand the system as required in 40 CFR 60.755(a)(3) during the first 180 days after gas collection system startup.

[40 CFR 60.755(a)(4)]

For the purpose of identifying whether excess air infiltration into the landfill is occurring, the owner or operator shall monitor each well monthly for temperature and nitrogen or oxygen as provided in 40 CFR 60.753(c). If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within five calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to DEQ for approval.

[40 CFR 60.755(a)(5)]

An owner or operator seeking to demonstrate compliance with 40 CFR 60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR 60.759 shall provide information satisfactory to DEQ as specified in 40 CFR 60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

[40 CFR 60.755(a)(6)]

- 3.21.2 For purposes of compliance with 40 CFR 60.753(a), each owner or operator of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in 40 CFR 60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

[40 CFR 60.755(b)]

5 years or more if active; or

[40 CFR 60.755(b)(1)]

Two years or more if closed or at final grade.

[40 CFR 60.755(b)(2)]

- 3.21.3 The following procedures shall be used for compliance with the surface methane operational standard as provided in 40 CFR 60.753(d).

[40 CFR 60.755(c)]

After installation of the collection system, the owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR 60.755 (d).

[40 CFR 60.755(c)(1)]

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The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

[40 CFR 60.755(c)(2)]

Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of Appendix A of 40 CFR 60, except that the probe inlet shall be placed within five to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

[40 CFR 60.755(c)(3)]

Any reading of 500 ppm or more above background at any location shall be recorded as a monitored exceedance and the actions specified in the following 40 CFR 60.755(c)(4)(i) through (v) shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of 40 CFR 60.753(d).

[40 CFR 60.755(c)(4)]

The location of each monitored exceedance shall be marked and the location recorded.

[40 CFR 60.755(c)(4)(i)]

Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance.

[40 CFR 60.755(c)(4)(ii)]

If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in 40 CFR 60.755(c)(4)(v) shall be taken, and no further monitoring of that location is required until the action specified in 40 CFR 60.755(c)(4)(v) has been taken.

[40 CFR 60.755(c)(4)(iii)]

Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in 40 CFR 60.755(c)(4)(ii) or (iii) shall be re-monitored one month from the initial exceedance. If the one-month re-monitoring shows a concentration less than 500 ppm above background, no further monitoring of that location is required until the next quarterly monitoring period. If the one-month re-monitoring shows an exceedance, the actions specified in 40 CFR 60.755(c)(4) (iii) or (v) shall be taken.

[40 CFR 60.755(c)(4)(iv)]

For any location where monitored methane concentration equals or exceeds 500 ppm above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to DEQ for approval.

[40 CFR 60.755(c)(4)(v)]

The owner or operator shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

[40 CFR 60.755(c)(5)]

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- 3.21.4 Each owner or operator seeking to comply with the provisions in 40 CFR 60.755 (c) shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

[40 CFR 60.755(d)]

The portable analyzer shall meet the instrument specifications provided in Section 3 of Method 21 of Appendix A of 40 CFR 60, except that “methane” shall replace all references to VOC.

[40 CFR 60.755(d)(1)]

The calibration gas shall be methane, diluted to a nominal concentration of 500 ppm in air.

[40 CFR 60.755(d)(2)]

To meet the performance evaluation requirements in section 3.1.3 of Method 21 of Appendix A of 40 CFR 60, the instrument evaluation procedures of section 4.4 of Method 21 of Appendix A of 40 CFR 60 shall be used.

[40 CFR 60.755(d)(3)]

The calibration procedures provided in Section 4.2 of Method 21 of Appendix A of 40 CFR 60 shall be followed immediately before commencing a surface monitoring survey.

[40 CFR 60.755(d)(4)]

- 3.21.5 The provisions apply at all times, except during periods of start-up, shutdown, or malfunction, as amended in 40 CFR 60.755.

[40 CFR 60.755(e)]

3.22 Monitoring of Operations (40 CFR 60.756)

- 3.22.1 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(ii)(A) for an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

[40 CFR 60.756(a)]

Measure the gauge pressure in the gas collection header on a monthly basis as provided in 40 CFR 60.755(a)(3); and

[40 CFR 60.756(a)(1)]

Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 40 CFR 60.755(a)(5); and

[40 CFR 60.756(a)(2)]

Monitor temperature of the landfill gas on a monthly basis as provided in 40 CFR 60.755(a)(5).

[40 CFR 60.756(a)(3)]

- 3.22.2 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(iii) using an enclosed combustor shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment.

[40 CFR 60.756(b)]

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A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or ± 0.5 degrees Celsius, whichever is greater.

[40 CFR 60.756(b)(1)]

A device that records flow to or bypass of the control device. The owner or operator shall either:

[40 CFR 60.756(b)(2)]

Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes.

[40 CFR 60.756(b)(2)(i)]

- 3.22.3 Each owner or operator seeking to demonstrate compliance with 40 CFR 60.752(b)(2)(iii) using a device other than an open flare or an enclosed combustor shall provide information satisfactory to DEQ as provided in 40 CFR 60.752(b)(2)(i)(B) describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. DEQ shall review the information and either approve it, or request that additional information be submitted. DEQ may specify additional appropriate monitoring procedures.

[40 CFR 60.756(d)]

- 3.22.4 Each owner or operator seeking to demonstrate compliance with 40 CFR 60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in 40 CFR 60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

[40 CFR 60.756(f)]

3.23 Reporting Requirements (40 CFR 60.757)

- 3.23.1 Each owner or operator subject to the requirements shall submit an initial design capacity report to DEQ.

[40 CFR 60.757(a)]

The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required by 40 CFR 60.7(a)(1) and shall be submitted no later than:

[40 CFR 60.757(a)(1)]

Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commences construction, modification, or reconstruction on or after March 12, 1996. ACLF modification date is when NRC commenced construction in February 2006.

[40 CFR 60.757(a)(1)(ii)]

The initial design capacity report shall contain the following information:

[40 CFR 60.757(a)(2)]

A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by the State, local, or tribal agency responsible for regulating the landfill.

[40 CFR 60.757(a)(2)(i)]

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The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by the State, local, or tribal agency responsible for regulating the landfill, a copy of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity shall be calculated using good engineering practices. The calculations shall be provided, along with the relevant parameters as part of the report. DEQ may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

[40 CFR 60.757(a)(2)(ii)]

An amended design capacity report shall be submitted to DEQ providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to or above 3.5 million megagrams and 3.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in 40 CFR 60.758(f).

[40 CFR 60.757(a)(3)]

- 3.23.2 Each owner or operator subject to the requirements shall submit an NMOC emission rate report to DEQ initially and annually thereafter, except as provided for in 40 CFR 60.757(b)(3). DEQ may request such additional information as may be necessary to verify the reported NMOC emission rate.

[40 CFR 60.757(b)]

The NMOC emission rate report shall contain an annual or five-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 60.754(a) or (b), as applicable.

[40 CFR 60.757(b)(1)]

The initial NMOC emission rate report may be combined with the initial design capacity report required in 40 CFR 60.757(a) and shall be submitted no later than indicated in 40 CFR 60.757(b)(1)(i)(A) and (B). Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in 40 CFR 60.757(b)(3).

[40 CFR 60.757(b)(1)(i)]

Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commences construction, modification, or reconstruction on or after March 12, 1996. ACLF modification date is when NRC commenced construction in February 2006.

[40 CFR 60.757(b)(1)(i)(B)]

The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or five-year emissions.

[40 CFR 60.757(b)(2)]

Each owner or operator subject to the requirements is exempted from the requirements of 40 CFR 60.757(b)(1) and 40 CFR 60.757(b)(2), after the installation of a collection and control system in compliance with 40 CFR 60.752(b)(2), during such time as the collection and control system is in operation and in compliance with 40 CFR 60.753 and 40 CFR 60.755.

[40 CFR 60.757(b)(3)]

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- 3.23.3 Each owner or operator subject to the provisions of 40 CFR 60.752(b)(2)(i) shall submit a collection and control system design plan to DEQ within one year of the first report required under 40 CFR 60.757(b) in which the emission rate equals or exceeds 50 megagrams per year.

[40 CFR 60.757(c)]

- 3.23.4 Each owner or operator of a controlled landfill shall submit a closure report to DEQ within 30 days of waste acceptance cessation. DEQ may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to DEQ, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR 60.7(a)(4).

[40 CFR 60.757(d)]

- 3.23.5 Each owner or operator of a controlled landfill shall submit an equipment removal report to DEQ 30 days prior to removal or cessation of operation of the control equipment.

[40 CFR 60.757(e)]

The equipment removal report shall contain all of the following items:

[40 CFR 60.757(e)(1)]

A copy of the closure report submitted in accordance with 40 CFR 60.757(d);

[40 CFR 60.757(e)(1)(i)]

A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and

[40 CFR 60.757(e)(1)(ii)]

Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

[40 CFR 60.757(e)(1)(iii)]

DEQ may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR 60.752(b)(2)(v) have been met.

[40 CFR 60.757(e)(2)]

- 3.23.6 Each owner or operator of a landfill seeking to comply with 40 CFR 60.752(b)(2) using an active collection system designed in accordance with 40 CFR 60.752(b)(2)(ii) shall submit to DEQ annual reports of the recorded information in 40 CFR 60.757 (f)(1) through 40 CFR 60.757(f)(6). The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under 40 CFR 60.758(c).

[40 CFR 60.757(f)]

Value and length of time for exceedance of applicable parameters monitored under 40 CFR 60.756(a), (b), (c), and (d).

[40 CFR 60.757(f)(1)]

Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under 40 CFR 60.756.

[40 CFR 60.757(f)(2)]

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Description and duration of all periods when the control device was not operating for a period exceeding one hour and length of time the control device was not operating.

[40 CFR 60.757(f)(3)]

All periods when the collection system was not operating in excess of five days.

[40 CFR 60.757(f)(4)]

The location of each exceedance of the 500 ppm methane concentration as provided in 40 CFR 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

[40 CFR 60.757(f)(5)]

The date of installation and the location of each well or collection system expansion added pursuant to 40 CFR 60.755(a)(3), (b), and (c)(4).

[40 CFR 60.757(f)(6)]

- 3.23.7 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(iii) shall include the following information with the initial performance test report required under 40 CFR 60.8:

[40 CFR 60.757(g)]

A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion;

[40 CFR 60.757(g)(1)]

The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based;

[40 CFR 60.757(g)(2)]

The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material;

[40 CFR 60.757(g)(3)]

The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area; and

[40 CFR 60.757(g)(4)]

The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and

[40 CFR 60.757(g)(5)]

The provisions for the control of off-site migration.

[40 CFR 60.757(g)(6)]

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3.24 **Recordkeeping Requirements (40 CFR 60.758)**

- 3.24.1 Each owner or operator of an MSW landfill subject to the provisions of 40 CFR 60.752(b) shall keep for at least five years up-to-date, readily accessible, on-site records of the design capacity report which triggered 40 CFR 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats are acceptable.

[40 CFR 60.758(a)]

- 3.24.2 Each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in 40 CFR 60.758(b)(1) through 40 CFR 60.758(b)(4) as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of five years. Records of the control device vendor specifications shall be maintained until removal.

[40 CFR 60.758(b)]

Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(ii):

[40 CFR 60.758(b)(1)]

The maximum expected gas generation flow rate as calculated in 40 CFR 60.755(a)(1). The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by DEQ.

[40 CFR 60.758(b)(1)(i)]

The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR 60.759(a)(1).

[40 CFR 60.758(b)(1)(ii)]

Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity equal to or greater than 44 megawatts:

[40 CFR 60.758(b)(2)]

The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.

[40 CFR 60.758(b)(2)(i)]

The percent reduction of NMOC determined as specified in 40 CFR 60.752(b)(2)(iii)(B) achieved by the control device.

[40 CFR 60.758(b)(2)(ii)]

Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(iii)(B)(I) through use of a boiler or process heater of any size: a description of the location at which the collected gas vent stream is introduced into the boiler or process heater over the same time period of the performance testing.

[40 CFR 60.758(b)(3)]

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Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR 60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.

[40 CFR 60.758(b)(4)]

- 3.24.3 Except as provided in 40 CFR 60.752(b)(2)(i)(B), each owner or operator of a controlled landfill subject to the provisions of this subpart shall keep for five years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR 60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

[40 CFR 60.758(c)]

The following constitute exceedances that shall be recorded and reported under 40 CFR 60.757(f):

[40 CFR 60.758(c)(1)]

For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal unit per hour) or greater, all three-hour periods of operation during which the average combustion temperature was more than 28°C below the average combustion temperature during the most recent performance test at which compliance with 40 CFR 60.752(b)(2)(iii) was determined.

[40 CFR 60.758(c)(1)(i)]

For boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone as required under 40 CFR 60.758 (b)(3).

[40 CFR 60.758(c)(1)(ii)]

Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 60.756.

[40 CFR 60.758(c)(2)]

Each owner or operator subject to the provisions of this subpart who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with 40 CFR 60.752(b)(2)(iii) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. (Examples of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other State, local, Tribal, or Federal regulatory requirements.)

[40 CFR 60.758(c)(3)]

- 3.24.4 Each owner or operator subject to the provisions of this subpart shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

[40 CFR 60.758(d)]

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Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under 40 CFR 60.755(b).

[40 CFR 60.758(d)(1)]

Each owner or operator subject to the provisions of this subpart shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 40 CFR 60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 40 CFR 60.759(a)(3)(ii).

[40 CFR 60.758(d)(2)]

- 3.24.5 Each owner or operator subject to the provisions of this subpart shall keep for at least five years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 40 CFR 60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

[40 CFR 60.758(e)]

- 3.24.6 Landfill owners or operators who convert design capacity from volume to mass or mass to volume to demonstrate that landfill design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, as provided in the definition of “design capacity”, shall keep readily accessible, on-site records of the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats are acceptable.

[40 CFR 60.758(f)]

3.25 Specifications for Active Collection Systems (40 CFR 60.759)

- 3.25.1 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(i) shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by DEQ as provided in 40 CFR 60.752(b)(2)(i)(C) and (D):

[40 CFR 60.759(a)]

The collection devices within the interior and along the perimeter areas shall be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues shall be addressed in the design: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat.

[40 CFR 60.759(a)(1)]

The sufficient density of gas collection devices determined in 40 CFR 60.759(a)(1) shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.

[40 CFR 60.759(a)(2)]

The placement of gas collection devices determined in 40 CFR 60.759 (a)(1) shall control all gas producing areas, except as provided by 40 CFR 60.759(a)(3)(i) and 40 CFR 60.759(a)(3)(ii).

[40 CFR 60.759(a)(3)]

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Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under 40CFR 60.758(d). The documentation shall provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area, and shall be provided to DEQ upon request.

[40 CFR 60.759(a)(ii)]

Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than one percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material shall be documented and provided to DEQ upon request. A separate NMOC emissions estimate shall be made for each section proposed for exclusion, and the sum of all such sections shall be compared to the NMOC emissions estimate for the entire landfill. Emissions from each section shall be computed using the following equation:

[40 CFR 60.759(a)(iii)]

$$Q_i = 2 k L_o M_i (e^{-kt} i) (C_{NMOC}) (3.6 \times 10^{-9})$$

Where,

Q_i = NMOC emission rate from the i^{th} section, megagrams per year

k = methane generation rate constant, $year^{-1}$

L_o = methane generation potential, cubic meters per megagram solid waste

M_i = mass of the degradable solid waste in the i^{th} section, megagram

t_i = age of the solid waste in the i^{th} section, years

C_{NMOC} = concentration of nonmethane organic compounds, parts per million by volume

3.6×10^{-9} = conversion factor

The values for k and C_{NMOC} determined in field testing shall be used if field testing has been performed in determining the NMOC emission rate or the radii of influence (this distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k , L_o and C_{NMOC} provided in 40 CFR 60.754(a)(1) or the alternative values from 40 CFR 60.754(a)(5) shall be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in 40 CFR 60.759(a)(3)(i).

[40 CFR 60.759(a)(iii)]

- 3.25.2 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(i)(A) shall construct the gas collection devices using the following equipment or procedures:

[40 CFR 60.759(b)]

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The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system shall extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors shall be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration.

[40 CFR 60.759(b)(1)]

Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices shall be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

[40 CFR 60.759(b)(2)]

Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

[40 CFR 60.759(b)(3)]

- 3.25.3 Each owner or operator seeking to comply with 40 CFR 60.752(b)(2)(i)(A) shall convey the landfill gas to a control system in compliance with 40 CFR 60.752(b)(2)(iii) through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

[40 CFR 60.759(c)]

For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in 40 CFR 60.759(c)(2) shall be used.

[40 CFR 60.759(c)(1)]

For new collection systems, the maximum flow rate shall be in accordance with 40 CFR 60.755(a)(1).

[40 CFR 60.759(c)(2)]

40 CFR 63 Subpart AAAA Requirements

3.26 General Requirement

The permittee shall comply with 40 CFR 63, Subpart AAAA. The following permit conditions apply to ACLF based on the information in the application. Should, in the future, changes made to ACLF trigger other requirements in 40 CFR 63, Subpart AAAA, requirements in 40 CFR 63, Subpart AAAA shall govern.

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3.27 When do I have to comply with this subpart? (40 CFR 63.1945)

If your landfill is an existing affected source and is an area source meeting the criteria in 40 CFR 63.1935(a)(3), you must comply with the requirements in 40 CFR 63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2), which is April 28, 2007.

[40 CFR 63.1945(f)]

3.28 When am I no longer required to comply with this subpart? (40 CFR 63.1950)

You are no longer required to comply with the requirements of this subpart when you are no longer required to apply controls as specified in 40 CFR 60.752(b)(2)(v).

[40 CFR 63.1950]

3.29 What requirements must I meet? (40 CFR 63.1955)

3.29.1 Comply with the requirements of EPA approved and effective State plan that implements 40 CFR 60, Subpart Cc, or IDAPA 58.01.01.859.

[40 CFR 63.1955(a)(2)]

3.29.2 If you are required by 40 CFR 60.752(b)(2), an EPA approved and effective State plan, to install a collection and control system, you must comply with the requirements in 40 CFR 63.1960 through 63.1985 and with the General Provisions of 40 CFR 60 specified in Table 1. (see Permit Condition 3.35)

[40 CFR 63.1955(b)]

3.30 How is compliance determined? (40 CFR 63.1960)

3.30.1 Compliance is determined in the same way it is determined for 40 CFR 60, Subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence.

3.30.2 In addition, continuous parameter monitoring data, collected under 40 CFR 60.756(b)(1), and (d), are used to demonstrate compliance with the operating conditions for control systems. If a deviation occurs, you have failed to meet the control device operating conditions described in this subpart and have deviated from the requirements of this subpart.

3.30.3 Finally, you must develop and implement a written Start up, Shut down and Malfunctions (SSM) plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write, implement, or maintain a copy of the SSM plan is a deviation from the requirements of this subpart.

[40 CFR 63.1960]

3.31 What is a deviation? (40 CFR 63.1965)

A deviation is defined in 40 CFR 63.1990. For the purposes of the landfill monitoring and SSM plan requirements, deviations include the items in 40 CFR 63.1965(a) through (c).

A deviation occurs when the control device operating parameter boundaries described in 40 CFR 60.758(c)(1) are exceeded.

[40 CFR 63.1965 (a)]

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A deviation occurs when one hour or more of the hours during the three-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour.

[40 CFR 63.1965 (b)]

A deviation occurs when a SSM plan is not developed, implemented, or maintained on site.

[40 CFR 63.1965 (c)]

3.32 How do I calculate the three-hour block average used to demonstrate compliance? (40 CFR 63.1975)

Averages are calculated in the same way as they are calculated in 40 CFR 60, Subpart WWW, except that the data collected during the events listed in 40 CFR 63.1975(a), (b), (c), and (d) are not to be included in any average computed under this subpart:

Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments.

[40 CFR 63.1975(a)]

Startups.

[40 CFR 63.1975(b)]

Shutdowns.

[40 CFR 63.1975(c)]

Malfunctions.

[40 CFR 63.1975(d)]

3.33 What records and reports must I keep and submit? (40 CFR 63.1980)

Keep records and reports as specified in 40 CFR 60, Subpart WWW, an EPA approved State plan that implements 40 CFR 60, Subpart Cc, with one exception: You must submit a semi-annual report described in 40 CFR 60.757(f) every six months.

[40 CFR 63.1980(a)]

3.34 Who enforces this subpart? (40 CFR 63.1985)

This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or tribal agency. If the EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency as well as the U.S. EPA has the authority to implement and enforce this subpart. Contact the applicable EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency.

[40 CFR 63.1985 (a)]

The authorities that will not be delegated to State, local, or tribal agencies are as follows. Approval of alternatives to the standards in 40 CFR 63.1955. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

[40 CFR 63.1985 (c)]

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3.35 General Provisions to 40 CFR 63 Subpart AAAA (40 CFR 63 Subpart AAAA Table 1)

The permittee shall comply with the General Provisions of 40 CFR 63 included in 40 CFR 63 Subpart AAAA Table 1.

40 CFR 63 Subpart AAAA Table 1^a

Part 63 Citation	Description	Explanation
63.1(a).....	Applicability: general applicability of NESHAP in this part.	Affected sources are already subject to the provisions of paragraphs (a)(10)- (12) through the same provisions under 40 CFR, part 60 subpart A.
63.1(b).....	Applicability determination for stationary sources.	
63.1(e).....	Title V permitting..	
63.2.....	Definitions.....	
63.4.....	Prohibited activities and circumvention.	Affected sources are already subject to the provisions of paragraph (b) through the same provisions under 40 CFR, part 60 subpart A.
63.5(b).....	Requirements for existing, newly constructed, and reconstructed sources.	
63.6(e).....	Operation and maintenance requirements, startup, shutdown and malfunction plan provisions.	
63.6(f).....	Compliance with nonopacity emission standards.	Affected sources are already subject to the provisions of paragraphs (f)(1) and (2)(i) through the same provisions under 40 CFR, part 60 subpart A.
63.10(b)(2)(i)-(b)(2)(v)....	General recordkeeping	

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requirements.

63.10(d)(5)..... If actions taken during a startup, shutdown and malfunction plan are consistent with the procedures in the startup, shutdown and malfunction plan, this information shall be included in a semi-annual startup, shutdown and malfunction plan report. Any time an action taken during a startup, shutdown and malfunction plan is not consistent with the startup, shutdown and malfunction plan, the source shall report actions taken within 2 working days after commencing such actions, followed by a letter 7 days after the event.

63.12(a)..... These provisions do not preclude the State from adopting and enforcing any standard, limitation, etc., requiring permits, or requiring emissions reductions in excess of those specified.

63.15..... Availability of information and confidentiality.

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4. WOOD CHIPPER, POWER SCREEN, AND TWO DIESEL ENGINE GENERATORS

Summary Description

4.1 Process Description

The ACLF uses a wood chipper and power screen to separate processed wood debris material into various sizes. The wood chipper consists of a 12 foot diameter cone to cut and shred various wood debris materials (i.e., stumps, logs, brush, yard waste, pallets, and construction waste). The chipper is powered by a 650 horsepower diesel engine generator. Wood debris material is loaded into the 12-foot cone and processed through a drop chute onto a conveyor. The conveyor transports the wood debris material to a power screen which further separates the processed material by shaking out the wood chips and debris into various sizes. The power screen is powered by a 106 horsepower diesel engine generator.

4.2 Emissions Control Description

Particulate matter emissions from the wood chipper and from the power screen are uncontrolled. Emissions from the two diesel engine generators are uncontrolled.

Table 4.1 describes the devices used to control emissions from wood chipper, power screen, and two diesel engine generators

Table 4.1 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES

Emissions Unit(s) / Process(es)	Emissions Control Device
Wood Chipper, Power Screen, And Two Diesel Engine Generators	None

Permit Limits / Standard Summary

4.3 Visible Emissions Limit

The permittee shall comply with facility-wide Permit Condition 2.7.

Operating Requirements

4.4 Reasonable Control of Fugitive Emissions

The permittee shall comply with facility-wide Permit Conditions 2.1 to 2.4.

4.5 Fuel Oil Sulfur Content

The permittee shall comply with facility-wide Permit Condition 2.14.

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4.6 Hours of Operation

The operation of each diesel engine generator shall not exceed a maximum of 3,300 hours in any consecutive 12-month period.

[PTC No. P-050056 (5/18/06)]

Monitoring and Recordkeeping Requirements

4.7 Visible Emissions Monitoring

The permittee shall comply with facility-wide Permit Condition 2.8.

4.8 Sulfur Content Monitoring

The permittee shall comply with facility-wide Permit Condition 2.14.1

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5. INSIGNIFICANT ACTIVITIES

Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in the Tier I to qualify for a permit shield.

Table 5.1 INSIGNIFICANT ACTIVITIES

Description	Insignificant Activities IDAPA 58.01.01.317.01(b)(i) Citation
Liquid fuel tanks ≤10,000 gallons	317.01.b.i.3
Welding using less than 1 ton of rod per day	317.01.b.i.9
Combustion source, space and hot water heaters <5 MMBtu/hr	317.01.b.i.9 and 18

- 5.1 There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the facility-wide Permit Conditions.

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6. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

Reopening

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

Property Rights

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

Information Requests

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

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8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.

[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

Severability

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

Changes Requiring Permit Revision or Notice

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200-223, 4/6/05; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380-386, 7/1/02; 40 CFR 70.4(b)(12), (14), (15), and 70.7(d), (e)]

11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381-385, 7/1/02; IDAPA 58.01.01.209.05, 4/5/00; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

12. Unless specifically identified as a “State-only” provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source’s potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]

13. Provisions specifically identified as a “State-only” provision are enforceable only in accordance with state law. “State-only” provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

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Inspection and Entry

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:
- Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
 - Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
 - Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.
- [Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]**

New Requirements During Permit Term

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.
- [IDAPA 58.01.01.322.10, 4/6/05; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]**

Fees

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.387 through IDAPA 58.01.01.397.
- [IDAPA 58.01.01.387, 4/2/03; 40 CFR 70.6(a)(7)]**

Certification

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.
- [IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]**

Renewal

18. a. The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine months prior to the date of expiration.
- [IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]**

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- b. If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.

[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

Permit Shield

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
- Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
 - DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
 - The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
 - Nothing in this permit shall alter or affect the following:
 - Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
 - The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
 - The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00;
IDAPA 58.01.01.322.15.m, 325.01, 5/1/94; IDAPA 58.01.01.325.02, 3/19/99;
IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]

Compliance Schedule and Progress Reports

- 20.
- For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
 - For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
 - For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.

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- d. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 5/1/94; IDAPA 58.01.01.314.10, 4/5/00; 40 CFR 70.6(c)(3) and (4)]

Periodic Compliance Certification

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:
- a. The compliance certifications for all emissions units shall be submitted annually from October 1 to September 30 or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.
 - b. The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;
 - c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
 - i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
 - ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
 - iii. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Paragraph 21.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred.
 - iv. Such other facts as DEQ may require to determine the compliance status of the source.
 - d. All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11, 4/6/05; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (10/22/97); 40 CFR 70.6(c)(5)(iv)]

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False Statements

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.125, 3/23/98]

No Tampering

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.126, 3/23/98]

Semiannual Monitoring Reports

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from October 1 to March 31 and April 1 to September 30. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Reporting Deviations and Excess Emissions

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Permit Revision Not Required

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.
[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

Emergency

27. In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008, constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.
[IDAPA 58.01.01.332.01, 4/5/00; 40 CFR 70.6(g)]